United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

V.

CR 09 ‑ 0506

E-filing

PATRICK PAUL BRENNAN,

MMC

DEFENDANT(S).

INDICTMENT

26 U.S.C. § 7201 - Tax Evasion (3 counts)

A true bill.

Mujihavslmerdsal
Foreman

Filed in open court this ___(L-th___ day of

May 2009

Wright
Clerk

Bail, $ _No Bail Arrest Warrant_

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT ☐ SUPERSEDING

─── OFFENSE CHARGED ───

26 U.S.C. § 7201 - Tax Evasion
(3 counts)

☐ Petty
☐ Minor
☐ Misde-meanor
☒ Felony

PENALTY:

26 U.S.C. § 7201 - 5 years impris., $250,000 fine, 3 years
Sup. Rel., $100 assessment

E-filing

─── PROCEEDING ───
Name of Complaintant Agency, or Person (&Title, if any)

INTERNAL REVENUE SERVICE

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
  ☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person
Furnishing Information on JOSEPH P. RUSSONIELLO
THIS FORM

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y
(if assigned) CYNTHIA STIER, AUSA, TAX DIV.

─── Name of District Court, and/or Judge/Magistrate Location ───
NORTHERN DISTRICT OF CALIFORNIA
San Francisco

FILED
09 MAY 12 PM 3:05

─── DEFENDANT - U.S. ───

▶ PATRICK PAUL BRENNAN

DISTRICT COURT NUMBER

CR 09   0506

MMC

─── DEFENDANT ───

IS *NOT* IN CUSTODY
1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
2) ☒ Is a Fugitive
3) ☐ Is on Bail or Release from (show District)

NORTHERN DISTRICT OF CALIFORNIA

IS IN CUSTODY
4) ☐ On this charge
5) ☐ On another conviction
6) ☐ Awaiting trial on other charges   ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No   If "Yes" give date filed

DATE OF ARREST ▶   Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED ▶
TO U.S. CUSTODY   Month/Day/Year

☐ This report amends AO 257 previously submitted

─── ADDITIONAL INFORMATION OR COMMENTS ───

PROCESS:
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT   Bail Amount: _____

If Summons, complete following:
☐ Arraignment ☐ Initial Appearance

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: _____

Before Judge: _____

Comments:

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
   United States Attorney

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7 **E-filing**

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9 UNITED STATES DISTRICT COURT   **MMC**

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

12 **CR 09   0506**

13 UNITED STATES OF AMERICA,   )   Case No. 09

14   Plaintiff,   )
)   VIOLATION: 26 U.S.C. §7201 - Tax
15   v.   )   Evasion (3 Counts)
)
16 PATRICK PAUL BRENNAN,   )
)
17   Defendant.   )
)
18   )   SAN FRANCISCO VENUE
)
19 _____   )

20   I N D I C T M E N T

21 The Grand Jury charges:

22 COUNT ONE: (26 U.S.C. § 7201 - Tax Evasion - 2002 Tax Year)

23   That on or about April 15, 2003, in the Northern District of California, the defendant,

24   PATRICK PAUL BRENNAN,

25 then a resident of Millbrae, California, who during the calendar year 2002 was married, did

26 willfully attempt to evade a large part of the income tax due and owing by him and his spouse to

27 the United States of America for the calendar year 2002, by preparing and causing to be prepared,

28 and by signing and causing to be signed, a false and fraudulent joint U.S. Individual Income Tax

1 Return, Form 1040, on behalf of himself and his spouse, which was filed with the Internal

2 Revenue Service, which omitted a portion of the gross receipts from his business, P Brennan

3 Construction. In that return, it was stated that their joint taxable income for the calendar year

4 was the sum of $11,867 and that the total tax was $5,593.00, inclusive of self-employment tax.

5 In fact, as he then and there well believed, their taxable income for the calendar year was in

6 excess of the amount stated on the return and an additional tax was due and owing to the United

7 States of America.

8   In violation of Title 26, United States Code, Section 7201.

9 COUNT TWO: (26 U.S.C. § 7201 - Tax Evasion - 2003 Tax Year)

10   That on or about April 15, 2004, in the Northern District of California, the defendant,

11   PATRICK P. BRENNAN,

12 then a resident of Millbrae, California, who during the calendar year 2003 was married, did

13 willfully attempt to evade a large part of the income tax due and owing by him and his spouse to

14 the United States of America for the calendar year 2003, by preparing and causing to be prepared,

15 and by signing and causing to be signed, a false and fraudulent joint U.S. Individual Income Tax

16 Return, Form 1040, on behalf of himself and his spouse, which was filed with the Internal

17 Revenue Service, which omitted a portion of the gross receipts from his business, P Brennan

18 Construction. In that return, it was stated that their joint taxable income for the calendar year was

19 the sum of $15,742.00 and that the total tax was $6,923.00, inclusive of self-employment tax. In

20 fact, as he then and there well believed, their taxable income for the calendar year was in excess

21 of the amount stated on the return and an additional tax was due and owing to the United States

22 of America.

23   In violation of Title 26, United States Code, Section 7201.

24 COUNT THREE: (26 U.S.C. § 7201 - Tax Evasion - 2004 Tax Year)

25   That on or about April 15, 2005, in the Northern District of California, the defendant,

26   PATRICK P. BRENNAN,

27 then a resident of Millbrae, California, who during the calendar year 2004 was married, did

28 willfully attempt to evade a large part of the income tax due and owing by him and his spouse to

INDICTMENT   2

1 the United States of America for the calendar year 2004, by preparing and causing to be prepared,

2 and by signing and causing to be signed, a false and fraudulent joint U.S. Individual Income Tax

3 Return, Form 1040, on behalf of himself and his spouse, which was filed with the Internal

4 Revenue Service, which omitted a portion of the gross receipts from his business, P Brennan

5 Construction. In that return, it was stated that their joint taxable income for the calendar year

6 was the sum of $1,285.00 and that the total tax was $6,789.00, inclusive of self-employment tax.

7 In fact, as he then and there well believed, their taxable income for the calendar year was in

8 excess of the amount stated on the return and an additional tax was due and owing to the United

9 States of America.

10   In violation of Title 26, United States Code, Section 7201.

11   A True Bill

12 Dated: _____5/12/09_____   _Murphindelmentral_

13   FOREPERSON

14

15 JOSEPH RUSSONIELLO
    United States Attorney

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17 BRIAN STRETCH
18 Chief, Criminal Division

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20 (Approved as to form: __Cynthia Stier__)
                              AUSA STIER

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